

(5/29/24) (1) - (6)

SANTAY KUMAR MD (DEFENDANT)

ALBEMARLE DISTRICT JAIL

210 EXECUTIVE DRIVE SOUTH  
ELIZABETH CITY, NC 27909

FILED

JUN 10 2024

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY  DEP CLK

L.W. FLANAGAN

FEDERAL JUDGE, US DIST. CT. EDNC

413 MIDDLE ST. NEW BERN, NC 28560

RE: ONGOING CRIMINAL PROCEEDINGS - FOR THE RECORD

(4:17-cr-00005-FL-1) DISTRICT COURT CASE NO. 417CR 00005-001FL

APPELLATE CT. CASE NO. 20-4478

FOR THE RECORD

ON (3/15/24) THE US CT. OF APPEALS FOR THE FOURTH CIRCUIT ISSUED A JUDGEMENT IN THE ABOVE MENTIONED CASE ON DIRECT APPEAL, AFFIRMING THE TAX CONVICTIONS (COUNTS 43, 44 & 45) & VACATING THE DRUG (COUNTS 3, 4, 5, 9 & 11) & MONEY LAUNDERING (COUNTS 33, 34, 35, 39 & 40) CONVICTIONS, WITH REMAND.

ON (5/15/24) THE CIRCUIT COURT ISSUED A MANDATE.

ON (5/16/24) THE DIST. CT. SCHEDULED A PRE TRIAL CONFERENCE CITING FRCP 17.1 (CRIMINAL), CALENDERED FOR (5/28/24) (DE-739, ORDER BY FLANAGAN)

THE COURT IS PROHIBITED FROM HOLDING A PRE TRIAL CONFERENCE WHEN DEFENDANT IS NOT REPRESENTED BY COUNSEL (AS IS THE CASE)

DEFENDANT HAS NOT WAIVED HIS RIGHT TO HAVE A COUNSEL

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- DESPITE THE APPELLATE CT.'S JUDGEMENT & THE DIST. CT.'S ASSESSMENT OF THE LACK OF MERIT (FLANAGAN'S ADDRESS TO THE US ATTY., 5/28/24, "YOU HAVE A VERY WEAK CASE"), THE US ATTY'S, OUT OF SPITE, ANIMUS & SMARTING, WANT TO RETRY THE VACATED 10 COUNTS. (THEY CAN'T STOMACH A LOSS), WHILE LEAVING THE DOOR OPEN FOR "NEGOTIATIONS". (WANTING THE DEFENDANT TO COP OUT ON A GUILTY PLEA, AFTER 8 YEARS OF CONTINUOUS INCARCERATION)

- AS THEY DID IN THE PREVIOUS PRETRIAL PROCEEDINGS (FROM 2016 - 2019), ON (5/28/24), THE US ATTY'S, WANT TO KEEP THE DEFENDANT, IN JAIL, OBJECTING TO HIS RELEASE.

- THE REASON FOR THIS IS BECAUSE THEY WANT TO HAMPER & HAMSTRING THE DEFENDANT'S TRIAL PREPARATION BY KEEPING HIM IN THE JAIL SO THAT HE CAN'T GET EFFECTIVE COUNSEL, WITNESSES FOR HIS DEFENSE, ACCESS TO THE LAW LIBRARY/LEGAL MATERIALS ETC WHILE HE ENDURES THE RISORS OF THE OPPRESSIVE JAIL ENVIRONMENT.  
Noisy

THEY DO NOT WANT THE DEFENDANT TO HAVE A FAIR TRIAL & IMPINGE & VIOLATE HIS DUE PROCESS RIGHTS.

- OTHER DOCTORS, SIMILARLY SITUATED, WHILE AWAITING TRIAL OR RETRIAL, ARE OUT ON BOND & WHEN THE DEFENDANT REQUESTED THE SAME, ON (5/28/24), JUDGE FLANAGAN COMMENTED THAT THE GOVT. MIGHT VIEW HIM AS A "THREAT".

- THIS FALSE NARRATIVE OF THE DEFENDANT BEING A "THREAT" & A "FLIGHT RISK" HAS BEEN PERPETRATED BY THE GOVT./US ATTY'S (A READILY & EAGERLY ADOPTED BY JUDGE FLANAGAN) SINCE THE INCEPTION OF THE "WITCH HUNT" & PERSECUTION OF THE DEFENDANT THAT STARTED IN 2013

DEFENDANT IS A NONVIOLENT BUDDHIST WHO HAS NEVER THREATENED ANYBODY.

THIS IS THE FALSE PROPAGANDA & RHETORIC THAT THE GOVT. HAS INDULGED IN & THAT PREJUDICED THE DEFENDANT GREATLY DURING HIS INITIAL TRIAL AS HE COULD NOT GET AN EFFECTIVE COUNSEL FOR HIS LEGAL DEFENSE, THE WITNESSES HE WANTED (INCLUDING A PAIN MANAGEMENT EXPERT) & WAS CONFINED TO VARIOUS COUNTY JAILS FOR 5 YEARS TILL HE WAS SENTENCED!

NOW THE US ATTORNEYS WANT TO REPEAT THE SAME SULLIED MOODS OPERANDI ALL OVER AGAIN, FOR RETRIAL, DESPITE THE APPELLATE COURT VERDICT.

FOR 4 YEARS PREARREST (2013-2016) THE EXECUTIVE BRANCH OF THE GOVT. & ITS MINIONS

- TERRORIZED
- BESIEGED HIS OFFICE
- HARASSED
- BESIEGED HIS HOME
- THREATENED
- VIOLATED CIVIL RIGHTS
- ASSAULTED
- STALKED/TRACKED
- TRESPASSED ON DEFENDANT'S PROPERTY & FIRED GUNS



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WHEN THE DEFENDANT, PEACEFULLY, RESISTED THEIR UNLAWFUL INTRUSIONS BY HIRING A PRIVATE INVESTIGATOR AS WELL AS BY VIDEOTAPING, THEY STARTED UTILIZING UNMARKED POLICE UNITS AS WELL AS DEFENDANT'S NEIGHBORS TO ACT AS LOOKOUTS.

THE DEA/SBI, ON ADVISEMENT FROM THE US ATTY.'S, HAD LOCAL LAW ENFORCEMENT, POISON THE DEFENDANT'S NEIGHBORS AGAINST HIM <sup>A</sup> MANUFACTURED FALSE NARRATIVES <sup>A</sup> WARRANTS FOR ARREST, REPORT FROM 2014-2016 <sup>A</sup> THEN HELD THEM IN ABEYANCE, TO FINALLY EFFECTUATE <sup>A</sup> SHAM ARREST ON (6/21/2016) TO REMOVE DEFENDANT FROM THE SCENE TO FACILITATE THEIR LOOTING.

THE VIDEO EVIDENCE THAT THE DEFENDANT HAS, OF HIS NEIGHBORS, REFUTES THEIR COACHED LIES.

IN FACT THIS WAS THE REASON THAT NO NEIGHBOR APPEARED IN COURT WHEN THE STATE "STALKING" CASE WAS CALENDERED FOR TRIAL <sup>A</sup> THE STATE DISMISSED THE COUNTERFEIT "NEIGHBOR HARASSMENT" CASE

DEFENDANT'S INEFFECTIVE COUNSEL, DEBORRAH NEWTON, DID NOT HAVE THE MENTAL FACULTIES TO COMPREHEND THIS <sup>A</sup> WAS SCARED TO DEATH BY THE TYRANNICAL FLANAGAN WHO DID NOT WANT NEWTON PURSUING OUTRAGEOUS GOVT. CONDUCT ARGUMENTS. ADDITIONALLY FLANAGAN PREVENTED DEFENDANT FROM SPEAKING ABOUT THIS <sup>A</sup> WOULD NOT ALLOW HIM TO SHOW HIS VIDEOS

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WHILE ALLOWING THE GOVT. TO SHOW EDITED & DOCTORED VIDEOS.

THE PERTURBY PRONE US ATTY'S DENIED THE FULL EXTENT OF THEIR PERVERSIVE, UNLAWFUL & WARRANTLESS SURVEILLANCE ALL THE WAY TO THE APPELLATE COURT (SEE GOVT.'S REPLY BRIEF TO APPELLANT'S INFORMAL BRIEF)

THEIR SHAMELESS LIES WERE EXPOSED, WHEN THE DEFENDANT WAS ABLE TO GET A REPORT FROM HIS PRIVATE INVESTIGATOR IN 2023 (ALMOST A DECADE LATER!)

THIS REPORT FROM MR. MICHAEL GUADAGNO ALONG WITH THE POLICE REPORTS, DEA ROUGH NOTES, PVT. INVESTIGATOR RODNEY KNOWLES' REPORTS, NEIGHBORS DETAILED NARRATIVE AS WELL AS UNCONTRAVERTABLE EVIDENCE OF OUTRAGEOUS GOVT. MISCONDUCT IS ON FILE WITH THE APPELLATE COURT.

THIS EVIDENCE WAS HIDDEN FROM THE JURORS AS WELL AS THE RECORD BY DIST. CT. JUDGE FLANAGAN.

NOW THIS SECOND TIME OVER, THE DEFENDANT, WILL NOT LET THESE FABRICATED TALES OF FALSE HOOD STAND ON THE RECORD.

FOR NOW, FLANAGAN HAS DENIED THE DEFENDANT RELEASE SECONDARY TO AN ORAL MOTION FOR DETENTION BY THE



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US ATTY. TIME IS OF THE ESSENCE & EVERY MINUTE COUNTS TO MAKE PREPARATION BEFORE SPEEDY TRIAL DATE OF (8/6/24)

WHEN THE DEFENDANT TRIED TO SPEAK ABOUT HIS UNLAWFUL CONTINUOUS DETENTION & VIDEOS, FLANAGAN ORDERED HIM SILENCED BY CUTTING HIM OFF MID SENTENCE & TOLD HIM TO SIT DOWN. WHEN DEFENDANT TRIED TO SPEAK AGAIN THE MARSHAL TAPPED HIS SHOULDER.

FLANAGAN DOES NOT WANT THE DEFENDANT TO MAKE A RECORD OF THE INJUSTICES & HER GO TO LINE IS THAT ANYTHING YOU SAY WILL BE USED AGAINST YOU.

DEFENDANT'S LIFE, LIBERTY, PROPERTY, FREEDOM, FAMILY & REPUTATION HAVE ALREADY BEEN DESTROYED. WHAT CAN BE A WORSE FATE THAN THIS PRESENT SCENARIO?

THIS IS DEJA VU FOR THE DEFENDANT ALL OVER AGAIN. (FLANAGAN'S SILENCING THE DEFENDANT & VIOLATING HIS CONSTITUTIONAL DUE PROCESS RIGHTS)

THIS IS ONE OF THE REASONS WHY THE DEFENDANT WANTS JUDGE FLANAGAN RECUSED FROM THE CASE. (MOTION ALREADY FILED - DE 736 FILED (4/22/24))

FLANAGAN HAS ALREADY DENIED PRE TRIAL RELEASE TWICE (2016 & 2017) & POST TRIAL RELEASE ONCE BECAUSE SHE HAD PREDETERMINED A LENGTHY SENTENCE FOR THE DEFENDANT. EIGHT YEARS HAS BEEN SERVED & THE APPELLATE JUDGEMENT IS IN & DEFENDANT IS STILL IN JAIL.

DEFENDANT HAS ZERO FAITH THAT FLANAGAN WILL EFFECTUATE PRE TRIAL RELEASE.

(COPY TO THE APPELLATE COURT) SANJAY KUMAR